

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

THADDEUS EUGENE MARKHAM,

Plaintiff,

v.

Case No. 1:07-CV-296

JENNIFER GRANHOLM et al.,

HON. GORDON J. QUIST

Defendants.

---

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court has before it Petitioner's objections to the report and recommendation dated May 15, 2007, in which Magistrate Judge Brenneman recommended that Plaintiff's complaint be dismissed pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b) for failure to state a claim and that the Court decline to exercise supplemental jurisdiction over Plaintiff's state law claims. The magistrate judge concluded that Plaintiff's due process claim fails because he has no liberty interest in being released on parole. The magistrate judge further concluded that Plaintiff's other claims, including his Eighth amendment and Double Jeopardy claims, fail because Plaintiff did not allege any factual support for such claims. After conducting a de novo review of the report and recommendation, the Court concludes that the report and recommendation should be adopted by the Court.

On May 29, 2007, Plaintiff filed a document titled "Application For Leave To Appeal Pursuant To 28 U.S.C. § 1292 et seq.," in which Plaintiff states that the Court adopted the report and recommendation in an opinion dated May 4, 2007. Plaintiff's statement is incorrect, because this Court has not previously acted on the report and recommendation. In spite of Plaintiff's designation, the Court will consider Plaintiff's document as objections to the report and recommendation.

Although long on argument and legal citations, Plaintiff's objection fails to provide any specific, coherent argument regarding why the report and recommendation should not be adopted. That is, Plaintiff fails to explain why the magistrate judge's conclusion that Plaintiff has no liberty interest in being paroled is incorrect, nor does Plaintiff explain why his other claims should not be dismissed. Therefore,

**IT IS HEREBY ORDERED** that the Magistrate Judge's Report and Recommendation issued May 15, 2007 (docket no. 10) is **APPROVED AND ADOPTED** as the Opinion of this Court.

**IT IS FURTHER ORDERED** that Plaintiff's complaint is **DISMISSED** pursuant to 28 U.S.C. §§ 1915(e)(2) and 1915A(b) for failure to state a claim. The Court declines to exercise supplemental jurisdiction over Plaintiff's state law claims pursuant to 28 U.S.C. § 1367(c). This Court finds no good-faith basis for an appeal of this matter within 28 U.S.C. § 1915(a)(3).

This dismissal counts as a strike for purposes of 28 U.S.C. § 1915(g).

This case is **concluded**.

Dated: June 28, 2007

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE